

Senate File 148 - Introduced

SENATE FILE 148

BY DANIELSON

A BILL FOR

1 An Act relating to the expungement of an acquittal or dismissal
2 of a criminal charge.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 901C.1 Expungement of dismissals
2 and acquittals.

3 1. After a dismissal or acquittal of a charge, the court's
4 criminal record relating to the dismissal or acquittal shall
5 be expunged as a matter of law. The court shall enter an
6 order directing the clerk of the district court to expunge the
7 court's criminal record.

8 2. This section does not apply to a dismissed charge or an
9 acquittal of a charge if a deferred judgment was entered for a
10 charge related to the dismissal or acquittal and the provisions
11 of section 907.9, subsection 4, paragraph "b", apply.

12 3. The provisions of this section apply to a dismissal or
13 acquittal of a charge for an offense committed on or after July
14 1, 2013.

15 EXPLANATION

16 This bill relates to the expungement of a dismissal or
17 acquittal of a criminal charge.

18 After a dismissal or acquittal of a criminal charge, the bill
19 requires the court's criminal record relating to the dismissed
20 or acquitted charge to be expunged as a matter of law. The
21 bill specifies that the court shall enter an order directing
22 the clerk of the district court to expunge the court's criminal
23 record.

24 The bill does not apply to the dismissal or acquittal
25 of a criminal charge if a deferred judgment was entered
26 for a charge related to the dismissed or acquitted charge
27 because expungement provisions are already in place for this
28 circumstance in Code section 907.9(4)(b).

29 The bill only applies to a dismissal or acquittal of a
30 criminal charge for an offense committed on or after July 1,
31 2013.